
Office of Public Instruction



Legal Services Division



The OPI Legal Counsel provides legal advice and services to the State Superintendent and all divisions within the Office of Public Instruction. The Legal Unit consists of one attorney and two legal support staff and the Special Education Early Assistance Program (EAP) Director. The Legal Division also administers the Education Licensure Program. The division's legal functions include:

- Legal reviews of OPI documents, including publications and contracts;
- Ensures the OPI is in compliance with state statutes;
- Provides legal advice and background review regarding educator licensure;
- Handles all appeals from County Superintendent and County Transportation Committee decisions;
- Represents the State Superintendent in court proceedings;
- Assists with the adoption and amendment of administrative rules and for all state education laws;
- Handles Special Education formal complaints and requests for due process hearings;
- Provides technical assistance to parents, schools and advocacy organizations in the delivery of free, appropriate public education for students with disabilities;
- Amends and produces "School Laws of Montana" after each legislative session;
- Seeks to resolve education legal questions and disputes to avoid costly litigation; and
- Provides information on school law for parents, the public, teachers, school officials, and the news media.

